

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Wheel Pros, LLC, a Delaware limited  
liability company,

Plaintiff,

vs.

Jiangxi Rayone Wheels Technology  
Company Ltd., a Chinese entity, and Does I  
-X

Defendants.

**Case No. 2:23-cv-02242-SRB**

**PERMANENT INJUNCTION AND  
JUDGMENT AGAINST  
DEFENDANT JIANGXI RAYONE  
WHEELS TECHNOLOGY  
COMPANY LTD.**

Having reviewed all the filings in this case, the Court GRANTS the Motion for Default Judgment filed by Plaintiff Wheel Pros, LLC against Defendant Jiangxi Rayone Wheels Technology Company Ltd. (“Rayone” or “Defendant”). The Court enters JUDGMENT in favor of Plaintiff against Jiangxi Rayone Wheels Technology Company Ltd. in the amount of six million, one-hundred and seventy-five thousand, six hundred and seventy-seven dollars (\$6,175,677 USD) plus Plaintiff’s taxable costs and reasonable attorney fees and related non-taxable expenses plus post-judgment interest pursuant to 28 U.S.C. § 1961.

In support of its judgment the Court finds that:

1. The patent-in-suit, U.S. Patent No. D937,171 S, a copy of which is attached hereto as Exhibit 1 (the “Patent-in-Suit”), is and at relevant times has been valid, in-force, and owned by Plaintiff Wheel Pros, LLC. Defendant Jiangxi Rayone Wheels Technology Company Ltd. has infringed the Patent-in-Suit by one or more of making, using, offering for sale, selling, and/or importing, in the United States, at least hundreds of the infringing wheel shown below,

1 the overall appearance of which is substantially the same as the overall appearance of the  
2 Plaintiff's patented design.



21 2. Defendant's patent infringement was knowing, willful, intentional, and malicious.

22 3. The FUEL® Marks, namely the marks identified by U.S. Trademark Reg. Nos.  
23 3,628,355, 4,183,871, 5,401,312, and 6,176,630, are and at relevant times have been valid, in-  
24 force, and owned by Plaintiff Wheel Pros, LLC. Copies of such trademark registrations are  
25 attached hereto as Exhibits 2, 3, 4, and 5 (collectively, the FUEL® Marks”).

26 4. Defendant engaged in trademark infringement and counterfeiting as to the  
27 FUEL® Marks and that such counterfeiting was knowing, intentional, willful, and malicious.  
28

1           5. Defendant unfairly competed with Wheel Pros in violation of state and common  
2 law.

3           6. Defendant, and each of its agents, servants, employees, officers, directors,  
4 managers, attorneys, successors and assigns and all persons in active concert or participation,  
5 shall be enjoined and restrained perpetually and permanently from:

6           a. Using in any manner one or more of the FUEL® Marks, alone or in combination  
7 with any other word or words, or colorable imitations thereof, alone or in combination  
8 with any other word or words, symbols, which so resemble said marks as to be likely to  
9 cause confusion, deception or mistake, on or in connection with the advertising, offering  
10 for sale or sale of any product which is not manufactured, distributed or otherwise  
11 authorized by or for Wheel Pros;

12           b. Attempting to or passing-off, inducing or enabling others to sell or pass-off any  
13 product as a product affiliated with or sponsored by Wheel Pros, which product is not  
14 produced under the authorization, control and supervision of Wheel Pros and approved  
15 by Wheel Pros for sale under the FUEL® Marks;

16           c. Copying, making colorable imitations of, or modifying any of Wheel Pros'  
17 advertising or promotional materials for use in connection with the advertising,  
18 promotion or sale of any of Defendant's goods;

19           d. Committing any acts calculated or intended to cause purchasers to believe  
20 falsely that any of Defendant's products are associated with, sponsored by, approved by,  
21 guaranteed by, connected with or produced under the control and supervision or within  
22 the authority of Wheel Pros;

23           e. Further infringing the rights of Wheel Pros in and to the FUEL® Marks, or  
24 otherwise damaging Wheel Pros' goodwill and business reputation;

25           f. Infringing the Patent-in-Suit and the FUEL® Marks;

26           g. Engaging in trademark counterfeiting of the FUEL® Marks;

27           h. Otherwise competing unfairly with Wheel Pros in any manner;  
28

1 i. Obtaining, possessing, shipping, delivering, distributing, returning or otherwise  
2 disposing of in any manner advertising materials, goods or inventory bearing simulations  
3 of one or more of the FUEL® Marks which materials, goods or inventories were not  
4 manufactured by or for Wheel Pros or authorized by Wheel Pros to be used, sold or  
5 offered for sale in association with or bearing the FUEL® Marks;

6 j. Obtaining, possessing, manufacturing, or using any tools, dies, stamping,  
7 mixing, embossing, printing, labeling, packaging, silk screening, molding equipment,  
8 masters, or any other apparatus designed especially for the manufacture or labeling of  
9 unauthorized products bearing the FUEL® Marks, or simulations thereof, and packaging  
10 and advertising or displaying material relating thereto; or

11 k. Continuing to perform in any manner whatsoever acts infringing Wheel Pros'  
12 Patent-in-Suit or the FUEL® Marks.

13 7. Defendant shall within seven (7) calendar days deliver immediately to Wheel Pros  
14 or its attorneys for destruction any and all products, guarantees, warranties, circulars, price lists,  
15 labels, signs, prints, packages, wrappers, pouches, receptacles, advertising matter, promotional  
16 and other material in their possession or control bearing one or more of the FUEL® Marks, or  
17 colorable imitations thereof, alone or in combination with any other words, or any other words  
18 or symbols which so resemble one or more of the FUEL® Marks as to be likely to cause  
19 confusion, mistake or deception, which is or can be used in connection with the advertising,  
20 offering for sale, or sale of any product or service which is not manufactured, distributed, or  
21 otherwise authorized by Wheel Pros.

22 8. Defendant shall within seven (7) calendar days deliver immediately to Wheel Pros  
23 or its attorneys for destruction any and all disks, tapes, computer graphics files, molds, plates,  
24 screens, graphics, matrices, patterns and any other means of making simulations, reproductions,  
25 counterfeits, copies or colorable imitations of one or more of the FUEL® Marks which are for  
26 use on products, containers, packaging, disks, tapes, labeling, advertising and display literature  
27 or other material not authorized by Wheel Pros.  
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1           9. Defendant shall deliver to Wheel Pros or its attorneys for destruction or other  
2 appropriate disposition its entire remaining inventory of goods, packaging, and/or labeling  
3 bearing any of the FUEL® Marks, or simulations thereof, to the extent any such material exists.

4           10. Defendant shall within seven (7) calendar days supply Wheel Pros or its attorneys  
5 with a complete list of entities from whom it purchased and to whom it distributed and sold  
6 products in connection with all the unauthorized use of the FUEL® Marks and the Patent-in-  
7 Suit.

8           11. Unless otherwise authorized by Wheel Pros, all uses of the FUEL® Marks, and/or  
9 simulations thereof, used by or with the authorization of Defendant on the world wide web or  
10 otherwise available on the Internet shall be removed within seven (7) calendar days.

11           12. Defendant shall immediately pay Wheel Pros the full amount of that portion of  
12 the JUDGMENT that is now due and owing, namely \$6,175,677 USD.

13           13. Service may be made upon Defendant **JIANGXI RAYONE WHEELS**  
14 **TECHNOLOGY COMPANY LTD.** by mail to Yihuang Industrial District, Fuzhou City,  
15 Jiangxi Province, China (the address listed on its website – rayonewheels.com/contact-us, the  
16 address set forth on the business card of Defendant’s General Manager, James Huang, and as  
17 set forth in the Complaint). Such copy of this Permanent Injunction and Judgment shall be  
18 deemed sufficient notice under Federal Rule of Civil Procedure 65. It shall not be necessary for  
19 Rayone to sign any form of acknowledgement of this service.

20           14. This action is dismissed, without prejudice, as to the DOE defendants.

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1 Plaintiff may submit an Itemized Statement of Attorneys' Fees and Related Non-  
2 Taxable Expenses and a Bill of Costs as provided by LRCiv 54.1 within fourteen (14) days of  
3 this Order.

4 IT IS SO ORDERED, ADJUDGED, AND DECREED.  
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6 Dated this 9th day of May, 2024.  
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11 Susan R. Bolton  
12 United States District Judge  
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# **EXHIBIT “1”**

# **EXHIBIT “1”**





US00D937171S

(12) **United States Design Patent** (10) **Patent No.:** **US D937,171 S**  
**Henderson** (45) **Date of Patent:** **\*\* Nov. 30, 2021**

(54) **WHEEL**(71) **Applicant:** **Wheel Pros, LLC, Greenwood Village, CO (US)**(72) **Inventor:** **Brian Henderson, Buena Park, CA (US)**(\*\*) **Term:** **15 Years**(21) **Appl. No.:** **29/704,164**(22) **Filed:** **Sep. 3, 2019**(51) **LOC (13) Cl.** ..... **12-16**(52) **U.S. Cl.** ..... **D12/209**  
**USPC** ..... **D12/209**(58) **Field of Classification Search**

**USPC** ..... **D12/204-213; D21/563**  
**CPC** .... **B60B 7/00; B60B 7/02; B60B 7/04; B60B 7/01; B60B 7/06; B60B 3/02; B60B 3/04; B60B 3/06; B60B 3/10; B60B 1/00; B60B 1/08; B60B 1/10; B60B 1/12**

See application file for complete search history.

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(Continued)

**Primary Examiner** — **Stacia A Cadmus**(74) **Attorney, Agent, or Firm** — **Eric Hanscom**(57) **CLAIM**

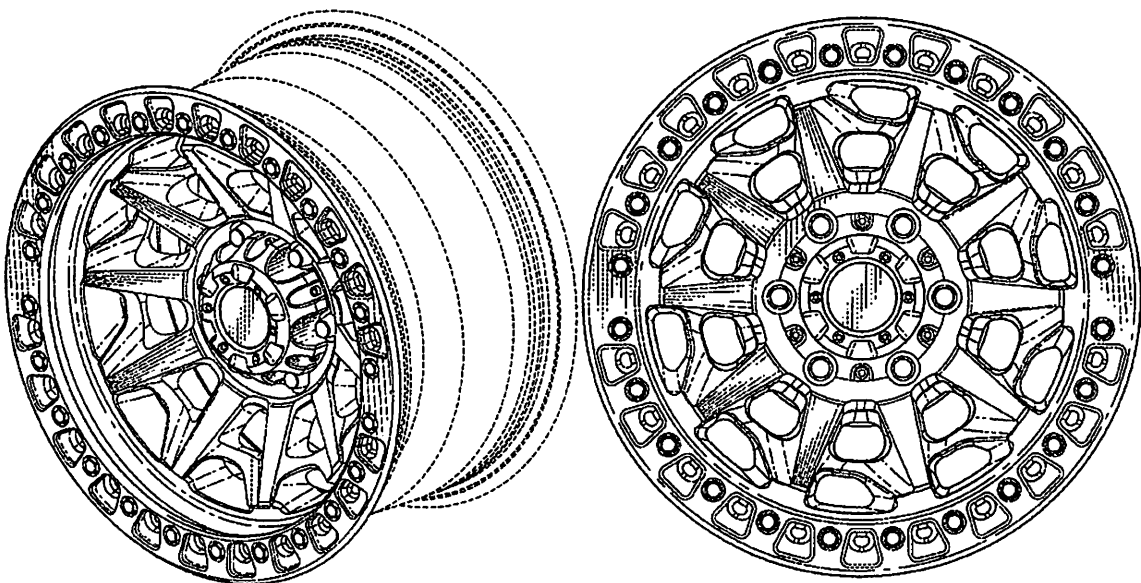
The ornamental design for a wheel, as shown and described.

**DESCRIPTION**

FIG. 1 is a perspective view of a wheel showing my new design; and,

FIG. 2 is a front view thereof.

In the drawings the broken lines depict portions of the wheel that form no part of the claimed design.

**1 Claim, 2 Drawing Sheets**



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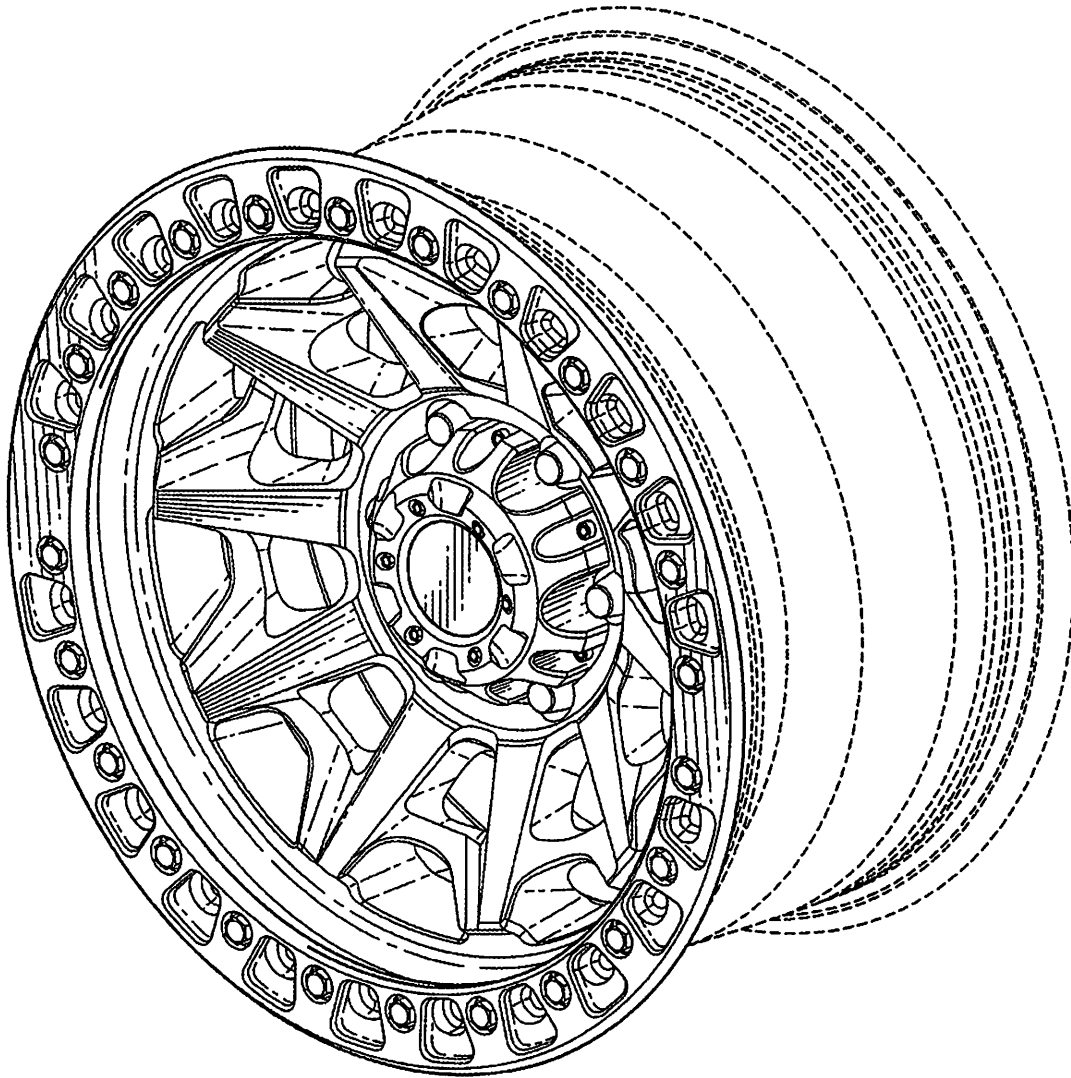
\* cited by examiner

**U.S. Patent**

**Nov. 30, 2021**

**Sheet 1 of 2**

**US D937,171 S**



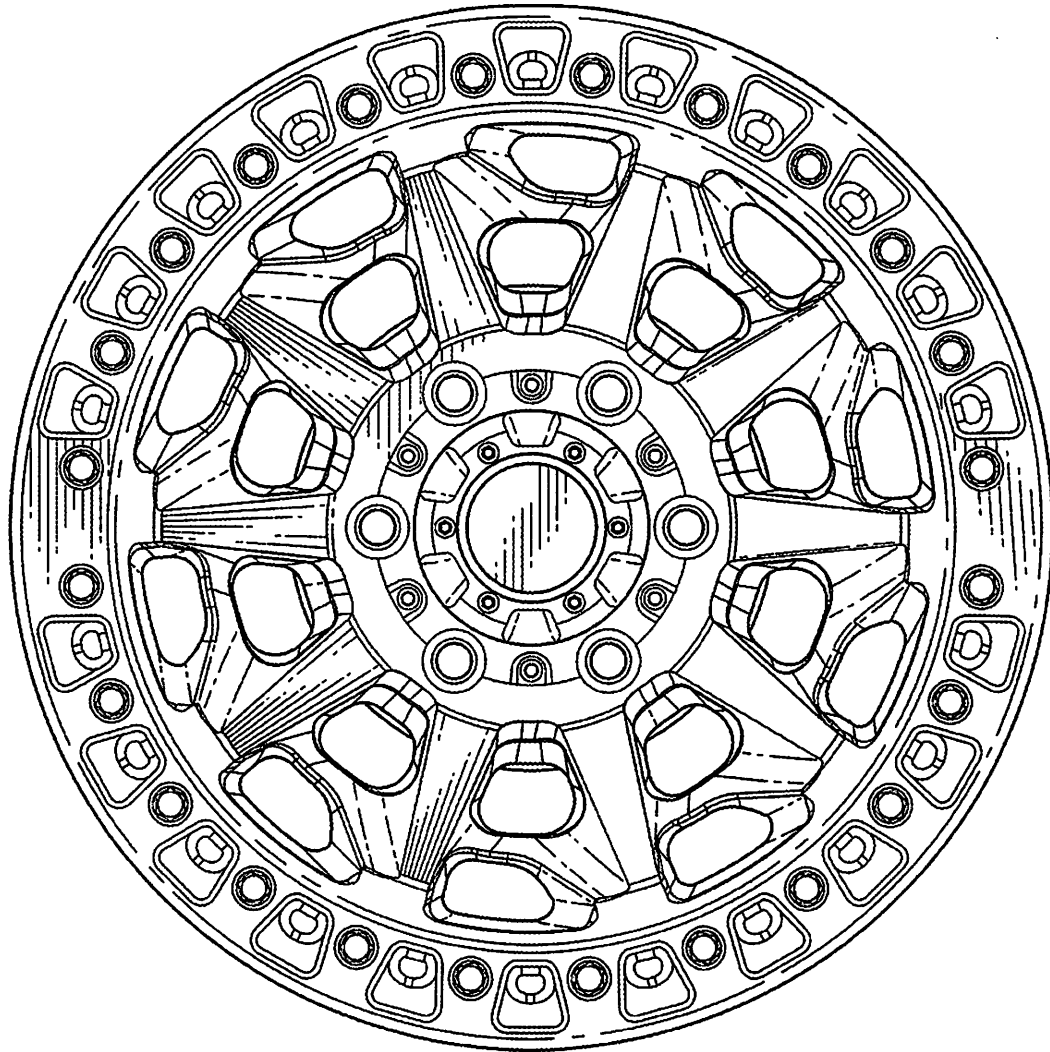
**FIG. 1**

**U.S. Patent**

**Nov. 30, 2021**

**Sheet 2 of 2**

**US D937,171 S**



**FIG. 2**

# **EXHIBIT “2”**

# **EXHIBIT “2”**

**Int. Cl.: 12**

**Prior U.S. Cls.: 19, 21, 23, 31, 35, and 44**

**Reg. No. 3,628,355**

**United States Patent and Trademark Office**

**Registered May 26, 2009**

**TRADEMARK  
PRINCIPAL REGISTER**

**FUEL**

MOBILE HI-TECH WHEELS (CALIFORNIA CORPORATION)  
12300 INDUSTRY STREET  
GARDEN GROVE, CA 92841

FOR: AUTOMOBILE WHEELS, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FIRST USE 11-21-2008; IN COMMERCE 11-21-2008.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 77-437,823, FILED 4-2-2008.

NORA BUCHANAN WILL, EXAMINING ATTORNEY

# **EXHIBIT “3”**

# **EXHIBIT “3”**

# United States of America

United States Patent and Trademark Office

# FUEL

**Reg. No. 4,183,871**

**Registered July 31, 2012**

**Int. Cl.: 12**

**TRADEMARK**

**PRINCIPAL REGISTER**

MOBILE HI-TECH WHEELS (CALIFORNIA CORPORATION)  
19200 SOUTH REYES AVENUE  
RANCHO DOMINGUEZ, CA 90221

FOR: TIRES, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FIRST USE 4-26-2012; IN COMMERCE 4-26-2012.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 3,628,355.

SN 85-156,324, FILED 10-19-2010.

LINDA MICKLEBURGH, EXAMINING ATTORNEY



*David J. Kyros*

Director of the United States Patent and Trademark Office



# **EXHIBIT “4”**

# **EXHIBIT “4”**

# United States of America

## United States Patent and Trademark Office



**Reg. No. 5,401,312**

**Registered Feb. 13, 2018**

**Int. Cl.: 12**

**Trademark**

**Principal Register**

MOBILE HI-TECH WHEELS (CALIFORNIA CORPORATION)  
19200 South Reyes Avenue  
Rancho Dominguez, CALIFORNIA 90221

CLASS 12: VEHICLE WHEELS

FIRST USE 4-2-2008; IN COMMERCE 4-2-2008

The mark consists of the letter "F" in stylized font.

SER. NO. 87-540,636, FILED 07-24-2017



*Andrei Iancu*

Director of the United States  
Patent and Trademark Office

# **EXHIBIT “5”**

# **EXHIBIT “5”**

# United States of America

## United States Patent and Trademark Office



**Reg. No. 6,176,630**

**Registered Oct. 13, 2020**

**Int. Cl.: 12**

**Trademark**

**Principal Register**

Wheel Pros, LLC (CALIFORNIA LIMITED LIABILITY COMPANY)  
5347 S. Valentia Way  
Suite 200  
Greenwood Village, COLORADO 80111

CLASS 12: Automotive vehicle wheels and components thereof, namely, hub caps, center caps, decorative wheel spokes, decorative wheel face attachments

FIRST USE 5-31-2016; IN COMMERCE 5-31-2016

The mark consists of an overall octagon shape within which is a stylized letter "F" located on the left and top sides and across the middle, stopping short of the right side because the term "FUEL" is located across the bottom to right sides of the octagon.

OWNER OF U.S. REG. NO. 3628355, 4183871, 5401312

SER. NO. 88-720,521, FILED 12-09-2019



*Andrei Iancu*

Director of the United States  
Patent and Trademark Office

